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Message Text

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16
ACTION EUR-12

INFO OCT-01 ISO-00 PPT-01 SCA-01 VO-03 L-03 /021 W
---------- 044787
R 171009Z MAR 76
FM AMEMBASSY BONN
TO SECSTATE WASHDC 7294
INFO USMISSION USBERLIN
AMEMBASSY BERLIN

C O N F I D E N T I A L BONN 04417

E.O. 11652: GDS
TAGS: PFOR PBOR PINT CGEN CPAS CVIS GE GW WB US
SUBJECT: "GERMANY" IN DIPLOMATIC PASSPORTS

REF: BERLIN 5367

BEGIN SUMMARY. EMBASSY BONN RECOMMENDS AGAINST ANY CHANGE IN THE PRESENT PRACTICE FOR DESIGNATING PLACE OF BIRTH FOR PERSONS BORN IN GERMANY. WHILE RECOGNIZING THE PRACTICAL DESIRABILITY OF SUCH A CHANGE, WE ARE UNABLE TO THINK OF ANY FORMULATION CONCERNING PERSONS BORN IN BERLIN WHICH WOULD SATISFY THE GDR AND AT THE SAME TIME PRESERVE US LEGAL POSITIONS. END SUMMARY.

1. WE ARE IN BASIC AGREEMENT WITH THE PRINCIPLE SUGGESTED BY EMBASSY BERLIN THAT IT WOULD BE DESIRABLE TO BRING PRACTICE INTO PHASE WITH REALITY IN DESIGNATING THE PLACE OF BIRTH IN US PASSPORTS OF PERSONS BORN IN GERMANY. WE HAVE DIFFICULTY, HOWEVER, IN FINDING A REALISTIC FORMULA WHICH WILL SATISFY ALL CONCERNED AND STILL PROTECT OUR OWN LEGAL POSITION.

2. ONE PROBLEM TO BE CONSIDERED WOULD BE THE STARTING DATE FOR USE OF "GERMAN DEMOCRATIC REPUBLIC." SHOULD IT BE THE DATE OF CREATION OF THE GDR (OCTOBER 1949) OR THE DATE OF OUR RECOGNITION OF THE GDR? DETERMINATION OF THAT DATE, HOWEVER, WOULD PRESUMABLY NOT BE AN INSUPERABLE PROBLEM.
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3. THE MORE DIFFICULT PROBLEM -- AND ONE FOR WHICH WE FIND NO SATISFACTORY ANSWER -- WOULD CONCERN DESIGNATION OF PLACE OF BIRTH OF PERSONS BORN IN BERLIN, EAST OR WEST. THERE ARE ELEVEN BERLINS IN THE UNITED STATES, AND IT WOULD BE INSUFFICIENT SIMPLY TO SHOW PLACE OF BIRTH AS "BERLIN." USE OF "BERLIN, FRG" AND "BERLIN, GDR" WOULD BE RULED OUT BY OUR POSITION ON THE LEGAL STATUS OF THE CITY. FOR PERSONS BORN IN WEST BERLIN, IT WOULD PROBABLY SATISFY THE GDR, AND CONCEIVABLY BE ACCEPTABLE TO THE FRG, TO SHOW "WESTERN SECTORS OF BERLIN" AS PLACE OF BIRTH. BUT IT WOULD CLEARLY BE UNACCEPTABLE TO THE GDR TO USE "EASTERN SECTOR OF BERLIN" FOR PERSONS BORN THERE.

4.FINALLY, TO USE "BERLIN, GERMANY" (AT LEAST AS APPLIED TO A PERSON BORN IN EAST BERLIN) WOULD BRING US BACK TO THE STARTING POINT OF OUR DISPUTE WITH THE GDR. MORE IMPORTANT WE BELIEVE USE OF THAT FORMULATION SHOULD BE REJECTED BECAUSE -- IF IT WERE COUPLED WITH THE USE OF "FRG" AND "GDR" FOR PERSONS BORN ELSEWHERE IN GERMANY -- IT WOULD GIVE CREDENCE TO THE EASTERN THEORY THAT THERE ARE NOW THREE GERMAN STATES.

5. WE THUS RECOMMEND AGAINST A CHANGE IN THE CURRENT PRACTICE, RECOGNIZING THAT THE ISSUE MAY HAVE TO BE REVIEWED FURTHER IF OUR DIFFICULTIES WITH THE GDR MOUNT. HOPEFULLY THE ISSUE WILL BE RARE IN CONNECTION WITH DIPLOMATIC PERSONNEL ASSIGNED TO EMBASSY BERLIN, BUT IT IS QUITE POSSIBLE THAT THE GDR WILL BEGIN TO CREATE DIFFICULTY FOR ORDINARY TOURISTS VISITING THE GDR. UNLESS WE COME TO A REAL CONFRONTATION, HOWEVER, IT WOULD SEEM PREFERABLE TO ADHERE TO THE POSITION THAT PASSPORT INDICIA ARE INTERNAL MATTERS FOR THE SENDING STATE TO DTERMINE.

6. SHOULD THE DEPARTMENT CONTEMPLATE A CHANGE IN PRESENT PROCEDURES, WE BELIEVE IT WOULD FIRST BE ESSENTIAL TO CONSULT WITH OUR BRITISH AND FRENCH ALLIES WHO SHARE RESPONSIBILITY FOR MATTERS AFFECTING BERLIN AND
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GERMANY AS A WHOLE, AND ALSO WITH THE FRG.
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